Vol. XI. Numb. 4.

# THE OBSERVATOR.

*The* Examiner *rebuk'd for ſlandering the Duke of* Marlborow. *His Grace's Character from our Statute-Book. On* Abel's *Reflections upon Prince* Eugene, *the* D——ſs *of* M——, *the Houſe of Lords, and the* Dutch, *in his* Poſt-Boys *of* Tueſday *and* Thurſday *laſt.*

From Wedneſday, January 9 to Saturday, January 12. 1712.

*Countrym.* HAve you ſeen the *Examiner* of the 10th, Maſter; and how he falls foul on the Duke of *Marlborough?*

*Obſ.* Yes, *Roger*; and I'll tell you a Story. *Thucydides*, among others, mentions a Fellow call'd *Hyperbolus*, who furniſh'd Matter for Satyrs to all the Writers of that Age; and tho no body lik'd him, yet he was frequently made uſe of by thoſe who had a mind to calumniate Perſons in Authority, and to bring them in Diſgrace with the Mob. Being a Man of no Character himſelf, he was as careleſs of Glory, as inſenſible of Shame: So that he was perfectly unconcern'd at any thing could be ſaid of him. Thoſe who made uſe of the Tool commended him for his Courage and Boldneſs, but every body elſe charg'd him with Impudence and Madneſs.

*Countrym.* That's exactly the Character, Maſter, of the Libellers now made uſe of by the *French* Faction: But pray go on with your Account of *Hyperbolus*.

*Obſ.* He was employ'd by the Faction, *Roger*, who had a mind to have *Alcibiades* the famous *Athenian* General condemn'd by an Oſtraciſm, for that was the way they made uſe of to leſſen the Eſteem, and to rid themſelves of ſuch Perſons as exceeded the reſt in Credit and Power, wherein they conſulted their Envy and Malice rather than their Fear. There were at the ſame time Two other Great Men, call'd *Nicias* and *Phæax*, that ſtood in Competition with *Alcibiades* for the publick Favour; and tho by conſequence they had ſeparate Intereſts, yet they join'd together againſt this Tool *Hyperbolus*, and in ſpite of all that the Faction could do to ſupport him, the Sentence was turn'd upon himſelf, which made that ſort of Puniſhment ſo contemptible ever after, that the *Athenians* would never more inflict it upon any body.

*Countrym.* That comes up to our Country Saying, Maſter, when we would expreſs the utmoſt Contempt of a Fellow, *viz. That he would be a Scandal to the Gallows or Pillory.* I hope our *Hyperbolus* and his Fellow-Labourers know how to apply it.

*Obſ.* They are paſt all Shame, *Roger*; otherwiſe they would never libel the Duke at ſuch a rate, ſince the Queen and the Nation have by Act of Parliament perpetuated his Fame.

*Countrym.* But you ſee the *Examiner* founds his Charge againſt the Duke upon the Report by the Commiſſioners appointed for taking the Publick Accompts concerning the Bread-Mony.

*Obſ.* That's exactly the Method of *French* Juſtice, *Roger*; that is to ſay, Arbitrary and Illegal, for which I am ſatisfy'd the Commiſſioners of Accompts will return the *Examiner* no Thanks; for he ought not only to have ſtaid till the Report had been publiſh'd by the Authority of the Houſe, but likewiſe till the Duke had made his Defence, and been try'd by his Peers; ſo that in the Eye of the Law the *Examiner* is a notorious and ſcandalous Libeller; and thoſe who publiſh'd the Report without Authority are the ſame. It is contrary to Natural Juſtice, and will be allow'd by no Court in the World, to publiſh an Accuſation depending before them againſt any Man, till the Matter has been fully heard and try'd; and not then neither, without their Authority, otherwiſe no Man's Reputation can be ſafe.

*Countrym.* Pray, Maſter, ſince you mention'd the Juſtice done to the Duke's Merit by Queen and Parliament, be pleas'd to tell me what Character the Duke bears in our Statute-Books; for I think 'tis the height of Impudence in any private Perſon to publiſh ſuch Slanders againſt a Peer who deſervedly ſtands recorded in our Acts of Parliament with the greateſt Encomiums that ever were given to a Subject.

*Obſ.* With all my Heart, *Roger.*

The 3d and 4th of *Anne*, Cap. VI. entitul'd, *An Act for the better enabling her Majeſty to grant the Honour and Manour of* Woodſtock, *with the Hundred of* Wootton, *to the Duke of* Marlborough, *and his Heirs*, has the following Preamble.

'Moſt Gracious Sovereign, Whereas *the eminent and unparallel'd Services* perform'd to your Majeſty and the Crown of *England* by the moſt Noble *John* Duke of *Marlborough*, *are well known, not only to your Majeſty, and all your Subjects, but to all* Europe, who will always remember that the Alliances which your Majeſt's Royal Brother King *William* III. of Glorious Memory, had in a little time before his Death contracted, by the Miniſtry of the ſaid Duke of *Marlborow* as his Majeſty's Ambaſſador Extraordinary and Plenipotentiary to the States General of the United Provinces, for preſerving the Liberty of *Europe* againſt the Ambition of *France*, were immediately after your Majeſty's happy Acceſſion to the Throne, by the ſaid Duke, then employ'd by your Majeſty in the ſame Character, confirm'd and improv'd, and others were contracted, whereby the Confederacy, which had been diſſolv'd at the end of the laſt Year, was reunited in a ſtricter and firmer League; and that in the Firſt Year of your Majeſty's Reign the ſaid Duke of *Marlborow* did *ſo well* execute the Commiſſion and Orders he receiv'd from your Majeſty as Captain-General and Commander in Chief of your Majeſty's Forces, that he not only ſecur'd and extended the Frontier of *Holland*, by taking the Towns of *Venlo*, *Ruremond*,

'*Stevert-*

'*Stevenſwaert* and *Liege*, but ſoon oblig'd the E-
'nemy (who had been at the gates of *Nimeghen*
'to ſeek ſhelter behind their Lines: And the next
'Campaign, by taking *Bon*, *Huy* and *Limbourg*,
'added all the Country between the *Rhine* and
'the *Maeſe* to the Conqueſt of the preceding
'Year, and that in the memorable Year 1704.
'when your Majeſty was generouſly pleas'd to
'take the Reſolution of reſcuing the Empire from
'that immediate Ruin, to which, by the De-
'fection of the Elector of *Bavaria*, it was
'expos'd, the Meaſures which by your Majeſty's
'Wiſdom and Goodneſs had been devis'd and
'concerted, were purſued by the ſaid Duke *with*
'*the utmoſt Diligence, Secrecy and good Conduct*,
'in leading the Forces of your Majeſty and your
'Allies, by a long and difficult March, to the
'Banks of the *Danube*, where the ſaid Duke, im-
'mediately upon his Arrival, did Attack and
'Force the *Bavarians*, (aſſiſted by the *French*)
'in their ſtrong Intrenchments at *Schellemberg*,
'paſs'd the *Danube*, diſtreſs'd the Country of
'*Bavaria*, and a ſecond time fought the Enemys,
'who had been reinforced by a Royal Army of
'the *French* King's beſt Troops, commanded by
'a Marſhal of *France*, and on *Auguſt* 2. 1704.
'after a bloody Battle at or near *Bleinheim* (al-
'tho' the Enemy had the Advantages of Number
'and Situation, *did gain as Abſolute and glorious*
'*a Victory, as is recorded in the Hiſtory of any Age.*
'By which *Bavaria* being entirely reduced,
'*Ratisbon*, *Ausbourg*, *Ulm*, *Memminghem*, and
'other Imperial Towns recover'd, and *Landaw*,
'*Treves* and *Traerbach* being taken, the War
'is carryed into the Dominions of *France*. And
'forasmuch as *the Happy Atchievements of the*
'*ſaid Duke, having apparently tended not only to*
'*the Honour and Safety of your Majeſty and your*
'*Subjects, and of their Poſterity, but alſo towards*
'*the future Tranquillity of Europe*, your Majeſty's
'moſt Dutiful and Loyal Subjects, the Commons
'of *England*, in Parliament aſſembled, *thought*
'*themſelves obliged*, in an humble Addreſs to
'your Majeſty, *not only to expreſs their great Senſe*
'*of the ſaid glorious Victorys*, but alſo humbly to
'deſire your Majeſty, that you wou'd be Gra-
'ciouſly pleas'd *to conſider of ſome proper means to*
'*perpetuate the Memory of ſuch ſignal Services*;
'And your Majeſty having been thereupon
'pleas'd to ſignify your Intention to grant the
'Intereſt of the Crown in the Honour and Man-
'nor of *Woodſtock*, and Hundred of *Wootton*
'to the ſaid Duke and his Heirs. Your Majeſty's
'ſaid Dutiful and Loyal Subjects, the Commons
'of *England*, in Parliament aſſembled, duly con-
'ſidering the good and prudent Proviſion made
'by your Majeſty, by an Act of Parliament in
'the firſt year of your Reign, for preſerving the
'Inheritance of ſeveral Revenues of the Crown,
'and believing that the Settlement of the ſaid
'Honour and Mannor, &c. on the ſaid Duke and
'his Heirs, can make no precedent for Caſes where
'there is or ſhall be *leſs Merit*, do moſt humbly,
'*chearfully and unanimouſly* beſeech your Majeſty,
'*That it may be Enacted*, and *Be it Enacted*, &c.

The 5th of *Anne*, *Cap.* 3*d.* ſettles the Honours and Dignitys of the Duke upon his Poſterity, and annexes the Honour and Mannor of *Woodſtock* and Houſe of *Bleinheim* to go along with his ſaid Honours. The Preamble of which Act is as follows,

'Whereas the Lords Spiritual and Temporal
'in Parliament aſſembled, having with much Sa-
'tisfaction conſider'd the *many great Actions* which
'*John* Duke of *Marlborough* has perform'd in Her
'Majeſty's Service, *to the Honour of his Country*,
'*and for the good of the Common Cauſe of* Europe,
'*(ſuch Actions as the wiſeſt and greateſt People have*
'*rewarded with Statues and Triumphs) and being*
'*extremely deſirous to expreſs the juſt Senſe they have*
'*of his Merit in a peculiar and diſtinguiſhing man-*
'*ner, and in order to perpetuate the Memory thereof*,
'that his Titles and Honours, with his right of
'Precedency, might be ſettled and continued in
'his Poſterity by Act of Parliament, as the Me-
'thod moſt effectual for that end, and *beſt ſuiting*
'*ſo great an Occaſion*——thought it our Duty to
'have recourſe to Her Majeſty.—— Therefore,
'for *perpetuating the Memory of ſeveral great Acti-*
'*ons performed by the ſaid Duke*, Be it Enacted, &c.

*Countrym.* I think, Maſter, that's enough to ſilence the Clamors and Faction of the Libellers againſt the Duke, until ſuch time as he be condemn'd by an equal Authority, and that his Crimes are made as viſible as was his Merit, for which theſe Honours and Rewards were conferr'd upon him by Queen and Parliament. In the mean time, I can't but reckon it very diſhonourable to our Country, that ſuch ſcandalous Libels ſhou'd be ſuffer'd againſt ſo great a Man, whoſe Merit has not only been own'd by the Legiſlature at home, but by the Emperor with all the other Confederate Princes and States. But indeed we are not to wonder at it, ſince the Libellers, by order of their Maſters, treat his Imperial Majeſty, and all other our Allies in the like ſcandalous Manner; which is ſo plain a proof of the Factions being in the *French* Intereſt againſt their Native Country, as every one, but thoſe who reſolve to ſhut their Eyes, muſt needs ſee it.

*Obſ.* There's ſuch a Scandalous inſtance of it in *Abel*'s Poſt Boy of *Tueſday* laſt, *Roger*, as would be ſuffer'd in no Nation. All the World has rung with Prince *Eugene*'s Fame, nor is there a Potentate on Earth, who wou'd not take it for an Honour to ſee him at their Court. But no ſooner has he ſet his Foot on *Engliſh* Ground, than he is treated by the *French* Faction here with the utmoſt Barbarity; and ſince his own Character is beyond the reach of Malice, ſo that Envy it ſelf cannot ſtain it, they attack him in the Perſon of the Princeſs his Mother, who, becauſe ſhe was not grateful to the *French* Court, they loaded her with the vileſt Obloquy which the Faction have repeated by the following Advertiſement, in *Abel*'s Commonſhore of Scandal.

'Yeſterday Morning a Manuſcript upon a
'whole ſheet of Paper was loſt, wherein, amongſt
'other Matters, contain'd a particular Account of
'the C——ſs of *S——s* poyſoning 47 Perſons of Qua-
'lity, and *M——r I——gs* deſtroying 32 Men,
'Women and Children by Witchcraft. Who-
'ever brings the ſame to *Aby* at *Jenny Man's*,
'ſhall have a Guinea Reward.

*Countrym.* By this it is plain, Maſter, that the Faction are declared Enemies to the whole Confederacy, ſince they are reſolved not only to abuſe the Emperor with all his Miniſters and Friends, but likewiſe our good Allies the *Dutch*, with their Miniſter *M. Buys*, and our Houſe of Lords, whom *Abel* in his *Poſt-Boy* of *Thurſday* laſt charges *to have been influenc'd by M.* Buys; *alledges that the Warmth that appeared in their Houſe was owing to the Management and Nocturnal Negotiations* of that Gentleman; and concludes with charging the *Dutch* as labouring to divide us. Surely theſe things are too plain for the Tools perpetually to eſcape without Puniſhment. 'Tis hoped the Eyes of the Nation will be open'd at laſt to ſee what it is thoſe Men drive at. In the mean time it muſt needs be ſome Satisfaction to the D. and D——ſs of *M*—— that they are abus'd in ſo good Company.

*LONDON* Printed, and Sold by S. Popping at the *Raven* in *Pater-noſter Row*;
Where Advertiſements are taken in.